

Appeals Policy

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Policy context: This policy relates to	
Standards or other external requirements	<ul style="list-style-type: none">• National Regulatory System of Community Housing (NRSCH)
Legislation or other requirements	<ul style="list-style-type: none">• Work Health and Safety (National Uniform Legislation) Act 2011 (NT)• Privacy Act 1998 (Cth)• Community Housing (National Uniform Legislation) Act 2013 (NT)
Contractual obligations	<ul style="list-style-type: none">• Contractual agreements with funding bodies• Employment contracts

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1. Overview

This policy explains what an appeal is, how our customers can appeal decisions that we make and how we will manage appeals that we receive.

2. Scope

This policy applies to appeals received from customers of Central Australian Affordable Housing Co. This policy does not include complaints, which are managed using our Complaints policy.

3. Underpinning principles

Applicants and tenants have the right to appeal decisions that we make and will not be disadvantaged by lodging an appeal.

We will be transparent and fair when dealing with appeals.

We welcome appeals and will use the outcomes to improve our service.

Applicants and tenants are encouraged get help from an advocate or support person at any point during the appeals process.

4. Definitions

4.1. Appeal

An appeal is a request to have a decision reviewed. An appeal involves a fresh look at the decision made and decide whether it should be changed in full or in part. The appeal will look at the situation and work out what the fairest outcome should be applying our policies and procedures.

An appeal is different to a complaint.

4.2. Complaint

A complaint is when a customer tells us that they are unhappy with our service or products.

A complaint is different to an appeal.

4.3. Person/people

In this policy, the terms person or people may also refer to business, organisations or other groups.

4.4. Working days

Working days means days our offices are open. It does not include weekends and public holidays.

5. Decisions that can be appealed

Decisions that can be appealed include:

- Decisions relating to eligibility for social or affordable housing or housing assistance
- Property offers
- Property entitlements
- Rent calculations or rent subsidy cancellations
- Transfer applications
- Requests to modify properties
- Requests for alterations
- Succession of tenancy
- Tenant charges

Decisions that may not be appealable include:

- Matters which are the responsibility of another organisation or body such as NT Civil and Administrative Tribunal (NTCAT)
- Decisions that are not directly related to the person
- Our policies
- Internal administrative or funding matters
- Matters/programs that aren't related to housing (e.g. tenant participation, support and referral services).
- Appeals that relate to housing managed on the Town Camps under the policies of the Department of Local Government, Housing and Community Development.

6. The appeals process

We will look at all relevant information on file, submitted by the individual, and any other information that was not available to the original decision maker when reviewing our decision. We will look at the circumstances and to see what decision should be made by applying our policies.

7. People who can lodge an appeal

Only the person or people affected by the decision can lodge an appeal. This includes a person who is authorised to act on behalf of the person affected.

8. How to lodge an appeal

If a person isn't happy with a decision we have made, they should appeal as soon as possible after the original decision was made. Generally, appeals must be made within 3 months from the time of our original decision. However, we might consider matters outside this time frame where we think it is the best way to resolve an issue.

People can appeal by email, phone or send a letter as outlined below:

Email: info@chca.org.au

Telephone: 08 8952 1266

Address: 3/21 Gregory Terrace, Alice Springs, 0870

Our delegated Representative will be the next senior staff member that has not been involved in the original decision, typically the Operations Manager or Chief Executive Officer. The delegated Representative is also available to discuss an appeal to see if the matter can be resolved without the need for a formal appeal.

9. Standards in responding to appeals

We will acknowledge appeals in writing within 3 working days of receiving them.

We will assess and respond to an appeal within 20 working days from the date we receive it. If we think there might be a delay in our response, we will tell the person who appealed how long we think our response will take and the reasons for the delay.

10. Assessing the appeal

The person who made the original decision will not be involved in an appeal decision.

Appeals will be directed to the delegated Representative who will log the appeal and manage the appeals process.

The assessment of the appeal will consider all information available at the time of the appeal. This may include contacting the person who appealed the decision.

11. Completing the appeal

Once we have assessed an appeal, we will respond to the person in writing and tell them the outcome of their appeal. Our response will explain the reason for our decision.

12. Records of appeals

Appeals will only be discussed with our team where needed to review the appeal.

Appeals will be recorded in our electronic Appeals Register with limited access by employees. If the person who appealed is an applicant or tenant, the appeal will be noted on their electronic record.

13. Feedback

After we complete an appeal, we might ask the person to provide feedback on their experience. Any feedback received will be confidential and used to improve our service.

14. Other avenues of client action

Lodging an appeal doesn't stop the person from taking other action. For example, these may include:

- Seeking support from their local Member of Parliament
- Contacting the Tenants Advice Service or Community Legal Centre for advice and help
- Making an application to the NT Civil and Administrative Tribunal (NTCAT) if they believe we have not met our legal duties under the Residential Tenancies Act.
- Making a complaint to the Northern Territory Registrar for Community Housing
- Making a complaint through the Northern Territory Government Public Housing Complaints and Appeals Mechanism

15. Related documents/resources

- [NT Civil and Administrative Tribunal \(NTCAT\)](#)